

REMARKS

Claims 1-9 are currently pending in this application. A Declaration of inventor Shuichi Sugita is submitted herewith, along with paint samples (inventive and prior art).

35 U.S.C. §112 Rejections

Claims 1-9 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. It is asserted in the Office Action that the limitation "substantially the same" is indefinite. Applicants have removed the word "substantially" so that Claim 1 now reads "...the light reflected from the base metal sheet is the same as the light reflected from the base metal sheet having a clear paint film...." Support for this language is found on page 7, lines 5-6, which states that the energy of reflected light L_{out} is substantially equal to the energy of incident light L_{in} . Regardless of the Examiner's view of the term "substantially the same," one skilled in the art would recognize that a value of reflected light on a sheet with a coating which is $\pm 5\%$ within the value of reflected light without the coating would be considered "substantially the same" or "the same" as Applicants' coating and, thus, fall within the claims. Applicants respectfully submit that Claim 1 as amended is not indefinite.

Claims 1-9 are also rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. It is asserted in the Office Action that Panush (US 4,615,940) suggests that an opalescent effect cannot be obtained when a paint film having a color value outside the N-4 to N-8 range on the Munsell color chart is used, and that it is unclear how Applicants have obtained the interference coloring effect outside the color values disclosed as critical in the prior art. Applicants traverse this rejection and respectfully submit that the present claims are enabled.

As explained previously, the color values of Panush referred to in the Office Action are a property of the base coat paint, a base coat that contains a conventional pigment (as stated at column 5 line 43), used in an amount of 15-50% by weight in the primer coat film (col. 5, line 59). The clear paint film of the present invention does not include conventional pigments in these amounts, and provides color through the use of oxide-coated flakes, the color being controlled by the thickness of the oxide layer (page 2, lines 26-28). Therefore, the Munsell color values of Panush are irrelevant to the present invention.

As explained in the accompanying Declaration of the inventor, and also as can be seen in the paint samples, the paint coatings of the present invention are very different from prior art coatings of Panush. In all samples of steel sheet coated with the paint of the present invention, the integrity of the metallic surface is preserved, and color tone is varied in relation to the thickness of the TiO_2 on the mica flakes. The samples show that it is possible to obtain an interference coloring effect in the absence of a colored pigment. Samples of steel sheet coated with paints having traditional pigments such as the phthalocyanine blue and lamp black (carbon black) used in Panuch reduce the metallic impression of the metal sheet. Thus, Applicants have amply demonstrated that it is possible to obtain an interference coloring effect with a non-pigmented clear paint film, one that permits light to reflect off the base metal sheet.

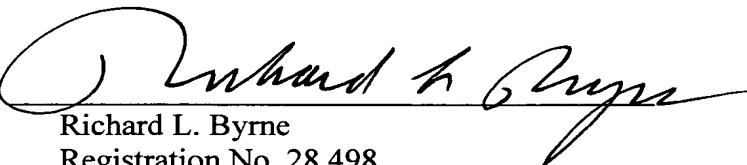
Following the methods described in the specification, which have been reproduced in the Declaration, one skilled in the art can achieve the coatings of the present invention, as evidenced by the paint samples. Claims 1-9 are, in fact, enabled. Applicants respectfully request withdrawal of this basis of rejection.

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Applicants respectfully submit that Claims 1-9 meet all requirements under Section 112 of the statute. Accordingly, Claims 1-9 are in condition for allowance; such action is respectfully requested at an early date.

Respectfully submitted,

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